

The Honorable Barbara J. Rothstein

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

NORTHWEST ENVIRONMENTAL
ADVOCATES,

Plaintiff,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, *et al.*

Defendants,

and,

STATE OF WASHINGTON,
DEPARTMENT OF ECOLOGY,

Defendant-Intervenor.

Case No. 2:19-cv-01537-BJR

ORDER

The Court has reviewed the Parties' Joint Motion to Reactivate Case, Enter Interim Consent Decree, and Hold Case in Abeyance, ECF No. 53. Having found that there is good cause to grant the relief sought therein, the Court will enter the Interim Consent Decree in a separate docket entry. Further, IT IS HEREBY ORDERED that:

1. This case is reactivated for the Court to enter the Interim Consent Decree; and
2. This case is held in abeyance pending the Parties' arrival at a final settlement or the Parties' filing of a motion to terminate the abeyance and to govern further proceedings to adjudicate the claims in the complaint.

IT IS SO ORDERED, this 21st day of December 2023.

A handwritten signature in black ink, reading "Barbara Jacobs Rothstein". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Barbara Jacobs Rothstein
United States District Judge

1 Presented by:

2
3 TODD KIM
Assistant Attorney General

4 /s/ Gus Maxwell
5 DAVID KAPLAN
GUS MAXWELL
6 United States Department of Justice
7 Environment & Natural Resources Division
Environmental Defense Section
8 (202) 514-0997
david.kaplan@usdoj.gov
9 (202) 598-3307
gustavus.maxwell@usdoj.gov

10
11 *Attorneys for Defendants*

12 /s/ James N. Saul
13 JAMES N. SAUL (OSB #1067236)
(Admitted *Pro hac vice*)
14 Earthrise Law Center
Lewis & Clark Law School
15 10015 SW Terwilliger Blvd.
16 Portland, OR 97219
(503) 768-6929
jsaul@lclark.edu

17
18 ANDREW HAWLEY (WSBA # 53052)
19 Western Environmental Law Center
1402 3rd Ave., Suite 1022
20 Seattle, WA 98101
(206) 487-7250
21 hawley@westernlaw.org

22 *Attorneys for Plaintiff Northwest*
23 *Environmental Advocates*

24
25 ROBERT W. FERGUSON
Attorney General

26 /s/ Ronald L. Lavigne
RONALD L. LAVIGNE, WSBA #18550

1 Senior Counsel
2 Office of the Attorney General
3 Ecology Division
4 P.O. Box 40117
5 Olympia, WA 98504-0117
6 360-586-6751
7 ronald.lavigne@atg.wa.gov

8 *Attorneys for Defendant-Intervenor*
9 *State of Washington, Department of Ecology*
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26